FBI agents face contempt charges

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WASHINGTON (AP) — A House subcommittee began contempt action Wednesday against five federal agents who, under orders from top administration officials, refused to testify on interception of cable traffic for intelligence purposes.

The five include three present FBI agents and a former agent who told the House government information subcommittee they had been ordered by Atty. Gen. Edward H. Levi not to testify.

An employe of the National Security Agency also involved in the 29-year-long cable interception operation known as Shamrock, said his order came from Deputy Secretary of Defense William P. Clements.

President Ford told Levi and Clements last week not to comply with the subcommittee's blanket subpoena for all documents and records relating to the cable interceptions since January, 1947. Ford said the scope of the records sought was so broad as to encompass sensitive national security information.

Meanwhile, the Senate intelligence committee voted to turn over to the Justice Department its files on mail opening by the Central Intelligence Agency and the FBI and electronic eavesdropping by the National Security Agency, chairman Frank Church, D-Idaho, said.

The Justice Department has said it needs the files before it can decide whether to bring criminal charges against intelligence officials involved in mail opening and eavesdropping.

The House subcommittee, headed by Rep. Bella Abzug, DN.Y., voted by identical 6 to 1 votes, with all Democrats for and and one Republican against, to recommend that the five agents be cited for contempt of Congress.

The action must be approved by the full committee and the House before it can be sent to the U.S. attorney for prosecution. The maximum penalty for contempt of Congress is one year in jail and a $1,000 fine.

Contempt action was voted against the four FBI agents for their refusal to turn over the subpoenaed documents and refusal to testify before the subcommittee.

The agents are John P. Loomis of Washington; Walter C. Zink and David G. Jenkins of New York; and former agent Joe R. Craig.

Contempt action was voted against the NSA employe, Joseph J. Tomba, only for refusing to testify because he said he had no documents to turn over in response to the subpoena.